



PATENT

Attorney's Docket No. CRF D-1156A

Applicant or Patentee: Michael O'Donnell

Serial or Patent No.: 0 /

Filed or Issued: July 22nd 1994

For: DNA Polymerase III Holoenzyme

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9 (b) and 1.27(d))—NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION CORNELL RESEARCH FOUNDATION, INC.

ADDRESS OF ORGANIZATION 20 Thornwood Drive, Suite 105
Ithaca, New York 14850

TYPE OF ORGANIZATION

- * ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501 (a) and 501 (c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501 (a) and 501 (c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled

DNA Polymerase III Holoenzyme
by inventor(s) Michael O'Donnell

described in

- ☒ the specification filed herewith.
- ☐ application serial no. 0 / _____ , filed _____
- ☐ patent no. _____ , issued _____

08828323, 032897

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING H. Walter Haebssler

TITLE IN ORGANIZATION President

ADDRESS OF PERSON SIGNING 20 Thornwood Drive, Suite 105

Ithaca, New York 14850

SIGNATURE  Date July 21st 1994

*Cornell Research Foundation, Inc., is a Corporation which is wholly owned by Cornell University handling Patents and Licensing.

08828323, 032897



COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

Docket No.: CRF D-1156A

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DNA POLYMERASE III HOLOENZYME

the specification of which

☐ is attached hereto

☒ was filed on July 22nd 1994 as United States Patent Application 08/279,058 as a Continuation in Part of earlier filed United States Patent Application 07/826,926 filed on January 24th 1992.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign applications for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications:

No.:	Country:	Filing Date:	Priority Claim:
PCT US93/00627		January 22nd 1993	yes

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 United States Code 112, I acknowledge the duty to disclose material information as defined in Title 37 Code of Federal Regulations, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.:	Filing Date:	Status:
07/826,926	January 24th 1992	abandoned

I hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith:

George M. Yahwak (Registration No. 26,824)

Address all telephone calls to: George M. Yahwak at telephone No.: (203)268-1951.

Address all correspondence to: Yahwak & Associates
25 Skytop Drive
Trumbull, Connecticut 06611

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First inventor: Michael E. O'Donnell

Residence: Hastings on Hudson, New York Citizenship: USA

Post Office Address: 16 Maple Lane, Hastings on Hudson, New York 10706

Signature: Michael E. O'Donnell Date: 12/5/99

08826323-032897



EXPRESS MAIL CERTIFICATE

DOCKET NO.: 19603/10213 (CRF D-1156B)

APPLICANTS: Michael O'Donnell

TITLE: DNA POLYMERASE III HOLOENZYME

Certificate is attached to the **Revocation and Power of Attorney (1 page)** as filed in the the prior application of the above-named application.

"EXPRESS MAIL"

NUMBER: EM584470680US

DATE OF DEPOSIT: March 28, 1997

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, BOX PATENT APPLICATION, Washington, D.C. 20231.

Wendy L. Harrold

(Typed or printed name of person
mailing paper or fee)

Wendy L. Harrold

(Signature of person mailing paper
or fee)



PATENT

Docket No. 19603/10212 (CRF D-1156A)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael E. O'Donnell)	
)	
Serial No : 08/279,058)	Examiner:
)	K. Hendricks
Filed : July 22, 1994)	
)	Art Unit:
For : DNA POLYMERASE III HOLOENZYME)	1814
)	

REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The undersigned applicant of the entire interest in the above-identified application for Letters Patent, Cornell Research Foundation, Inc., hereby revokes all previous powers of attorney in the subject application and hereby appoints Michael L. Goldman, Registration No. 30,727, and Susan J. Timian, Registration No. 34,103, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

Please direct all future communications relative to said application to the following correspondence address:

Michael L. Goldman, Esq.
Nixon, Hargrave, Devans & Doyle
Clinton Square, P. O. Box 1051
Rochester, New York 14603
(716) 263-1304

Respectfully submitted,

Dated: 7/5/95

By: Michael E. O'Donnell

Michael E. O'Donnell